

**ROSEBUD SIOUX TRIBAL COUNCIL
SPECIAL MEETING MINUTES
NOVEMBER 26, 2003**

BIA Superintendent Joann Young administered the Oath of Office to District 1 Council Representative Darrell Herman and District 8 Council Representative Robert Becker. They were certified as their districts representatives after the contest of election procedure was followed.

Chairman Charles Colombe called the meeting to order at 10:10 a.m. Roll call was taken with fourteen (14) council representatives answering thereby constituting a quorum.

They were as follows:

Darrell Herman	Steve Denoyer Jr.	Heather Burnette
Rick Young	Willard Henry	Patsy Valandra
Darlene Metcalf	Marion Young One Star	Robert Becker
Robert Shot	Rodney Bordeaux	Lenard Wright
Ken LaDeaux	Glen Quick Bear	

Council representatives entering after roll call:

Wayne Boyd	Jo Colombe	Russell Eagle Bear
Cliff Chasing Hawk		

Council representatives who were absent: Eddie Farmer and Darrell Marcus

Other officers present: Vice Chairman Norman Wilson, Secretary Gerri Night Pipe, Treasurer James Wike and Sergeant At Arms Glen Yellow Eagle.

INVOCATION – Tribal member Ronald Neiss gave the invocation.

AGENDA APPROVAL – Motion by Willard Henry to approve the agenda with the additions. Seconded by Steve Denoyer Jr. Vote: 17 for, 0 opposed, 0 not voting.
MOTION CARRIED

CASINO/MOTEL REPORT – Acting General Manager Adrian Mirabueno gave the Financial Performance Report:

- Total revenue for the month of October was \$1,318,536.00 or about \$214k over budget and more than \$297k compared to the same period last year.
- Slot Revenue alone exceeded \$1,110K, the second highest slot revenue during the past 12 months.
- Excellent revenue performance for the month can be attributed to the Freddie Fender concert and the Halloween pickup giveaway. Slot net wins during these nights exceeded \$75K and \$107K respectively.
- Net profit in October amounted to more that \$639K, exceeding projection by \$243K and more than \$326K compared to the same period last year. After setting

RSTC MEETING MINUTES

NOVEMBER 26, 2003

PAGE 02

aside \$63,904.00 casino operations and the Wells Fargo Bank loan payments of \$175,873.00 the net payment to the Tribe amounted to more than \$399k.

- The Hotel Manager at his request, was terminated effective October 31, 2002. in concert with his contract, he was given three months severance pay. We hired Barbara Hammon, Hotel Accountant as the acting Hotel Manger. Last week we placed ads in the Lakota Journal, Indian Country Today, Rapid City Journal and the Argus Leader for the position of the Hotel Manager.
- Auditors from the CPA firm of Joseph Eve & Co. had been at the casino since Monday to conduct an annual review of the casino and the hotel for FY 2003. The field audit ends today, however the audit goes for several more days. They will make a report to the council on January 20, 2004.

For the record, Chairman Colombe stated that he wants a breakdown of the reserve that isn't showing in the balance sheet and that it be a line item in the balance sheet.

Motion by Rodney Bordeaux to approve the Casino Financial Report. Seconded by Rick Young. Questioned by Russell Eagle Bear. Vote: 15 for, 02 opposed, 0 not voting.

MOTION CARRIED

Acting Motel Manger Barbars Hammond gave the following report:

- October was a good month. Our occupancy and revenue are good due to the hunters. This is a result of the marketing campaign with the gun giveaway.
- Revenue in October was \$71,539.49 compared to budget of \$51,545.00. Revenue was down approximately \$4,000.00 from October 2002, but this was due to no longer having the gift shop.
- We showed a net loss of \$13,252.15 but there was an insurance payment of \$12,535.89 and the purchase of a new ice machine for the second floor of the hotel for \$3,243.27.
- There will be one more insurance payment in November for the same amount of \$12,535.89. This will be the final payment for the fiscal year.
- Our occupancy rate for October of 2003 was 56%. This was above average for the industry in the off-peak season.

Discussed Bryan Burnette's contract termination with severance pay.

Motion by Patsy Valandra to approve the motel report. Seconded by Ken LaDeaux. Questioned by Rick Young. Vote: 16 for, 0 opposed, 01 not voting. **MOTION CARRIED**

Chairman Colombe stated for the record that Steve Denoyer Jr. is excused for the afternoon.

RSTC MEETING MINUTES
NOVEMBER 26, 2003
PAGE 03

JDC REPORT – Patricia Broken Leg Brill, JDC Director, gave the new council members the background/history of the JDC project and where they are at today.

Chairman Colombe informed the council that Robert Ecoffey and the BIA people from Albuquerque, NM will be here in a couple of weeks and we will hold a special meeting with them on the JDC project. Discussion was held on the JDC operation and what the facility is to be used for.

ATTORNEY GENERAL REPORT – Attorney General Dana Hannah stated that he wanted to address the council about his resignation which would be effective January 15, 2004 and the status of the litigation with BBC, Inc. He is recommending they go into executive session to discuss the lawsuit.

Motion by Patsy Valandra to go into executive session. Seconded by Rodney Bordeaux.

Chairman Colombe ruled the motion out of order and that he wants a written document from the Attorney General before they go into executive session.

A question was presented to the Secretary as to whether the Chair could make that ruling. The answer was that he can do this, but in accordance with Ordinance 86-13, Council Rules of Order, the council has the privilege of moving to challenge the ruling of the chair.

Motion by Russell Eagle Bear to go into executive session with the Attorney General. Seconded by Rodney Bordeaux. Questioned by Willard Henry. Vote: 10 for, 03 opposed, 04 not voting. MOTION CARRIED

For the record, Chairman Colombe refused to leave the meeting while the council went into executive session to discuss the RST vs. BBC lawsuit.

INTO EXECUTIVE SESSION AT 3:19 PM/OUT AT 4:50 PM


Motion by Rodney Bordeaux that Judy Shapiro be designated to work with the Vice President Norman Wilson on the RST vs. BBC lawsuit and that all the information be kept confidential. Seconded by Patsy Valandra. Questioned by Willard Henry. Vote: 15 for, 0 opposed, 0 not voting. MOTION CARRIED

RECESS – Motion by Rick Young to recess until Tuesday (Dec. 02) at 10:00 a.m. with the same agenda. Seconded by Patsy Valandra. Questioned by Willard Henry. Vote: 12 for, 01 opposed, 02 not voting. MOTION CARRIED

RSTC MEETING MINUTES
NOVEMBER 26, 2003
PAGE 04

Chairman Colombe recessed the meeting at 4:54 p.m.

ATTEST:


Gerri Night Pipe, Secretary
Rosebud Sioux Tribe